



11-04-04

1FW/3732

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

Applicants: Avery J. Evans

Atty. Docket No.: SPEC-6150

Serial No.: 10/074,959

Examiner: David A. Bonderer

Filing Date: February 12, 2002

Entitled: MULTI-USE SURGICAL CEMENT DISPENSER APPARATUS AND KIT FOR SAME

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.10(A)

Date of Deposit: Nov. 2, 2004

I hereby certify that this correspondence is being sent via U.S. Express Mail No. EE 041638129 US in care of the Commissioner for Patents, BOX - NON-FEE AMENDMENT, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Kimberly C. Luna
Kimberly C. Luna

RESPONSE TO RESTRICTION REQUIREMENT

Applicants hereby respond to the restriction requirement imposed by the Examiner in the Office Action with a mailing date of October 4, 2004. A shortened statutory period for response is set to expire 1 month from the mailing date and therefore this Response is considered timely filed.

Applicants hereby respond as follows:

REMARKS

Applicants acknowledge the Examiner's restriction of this application into Invention I (claims 1-27) and Invention II (claim 28). Applicants hereby elect Invention I, which election is hereby traversed, which represents claims 1-27 drawn to a system for bone cement delivery; classified in class 606, subclass 92.

Applicants have included the entire set of claims with claim 28 being withdrawn - to be prosecuted in Invention II in accordance with the Revised Format Notice for Amendments dated February 13, 2003.